

AMENDED IN SENATE MAY 2, 2006  
AMENDED IN SENATE APRIL 4, 2006

**SENATE BILL**

**No. 1615**

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**Introduced by Senator Simitian**  
**(Coauthor: Senator Bowen)**

*(Coauthors: Assembly Members Bass, Coto, Jones, Mullin, and  
Torrico)*

February 24, 2006

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An act to add Section 8310.6 to the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 1615, as amended, Simitian. State agencies: collection of data: ancestry or ethnic origin.

Existing law requires state agencies, boards, or commissions that directly or by contract collect demographic data as to the ancestry or ethnic origin of Californians, and state agencies conducting surveys as to the ancestry or ethnic origin of state civil service employees, to use separate collection categories for each major Asian and Pacific Islander group.

This bill would enact the Ethnic Heritage Respect and Recognition Act to require any state agency, board, or commission that directly or by contract collects demographic data, as soon as reasonably feasible and in no event later than January 1, 2014, to provide forms that offer respondents the option of selecting one more ethnic or racial designation according to specified federal standards.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 8310.6 is added to the Government Code, to read:

8310.6. (a) This section shall be known and may be cited as the Ethnic Heritage Respect and Recognition Act.

(b) The Legislature hereby finds and declares all of the following:

(1) The ~~state~~ State of California currently has the largest population of people among the United States who identify with more than one ancestry, ethnicity, or race. This population of Californians who identify as multiracial is rapidly growing.

(2) Many state forms that currently require respondents to choose only a single ancestry, ethnicity, or race force multiracial Californians to deny a significant part of their heritage. Information collected in this manner often deprives the state of accurate data with which to meet the needs of its diverse communities.

(3) It is in the best interest of the ~~state~~ State of California to respect, embrace, and understand the full diversity of its citizens.

(4) Respect for individual dignity should guide the processes and methods for collecting and encoding data on ancestry, ethnicity, and race.

(5) Since 1997, the federal Office of Management and Budget's "Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity" have required federal agencies to ensure that individuals have the option of selecting one or more ethnic or racial designations on federal government forms requesting this information.

(c) Any state agency, board, or commission that directly or by contract collects demographic data on the ancestry, ethnic origin, ethnicity, or race of Californians shall do all of the following:

(1) Provide forms that offer respondents the option of selecting one or more ethnic or racial designations pursuant to the federal Office of Management and Budget's "Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity." Recommended forms for the instruction accompanying a multiple response question are "mark one or more" and "select one or more." *A single designation for multiracial respondents does not satisfy this requirement.*

1 (2) Ensure in cases when data on respondents' ancestry, ethnic  
2 origin, ethnicity, or race is reported to any other state agency,  
3 board, or commission that it is neither tabulated nor reported  
4 without all of the following:

5 (A) The number or percentage of respondents who identify  
6 with each ethnic or racial designation alone and not in  
7 combination with any other ethnic or racial designation.

8 (B) The number or percentage of respondents who identify  
9 with each ethnic or racial designation, whether alone or in  
10 combination with other ethnic or racial designations.

11 (C) The number or percentage of respondents who identify  
12 with multiple ethnic or racial designations.

13 (D) ~~Complying~~ *For civil rights monitoring and enforcement,*  
14 *complying with the rules for multiple race response allocation*  
15 *issued by the federal Office of Management and Budget Bulletin*  
16 *No. 00-02 in cases of state or federally mandated actions related*  
17 *to an ethnic or a racial community, or to assessing disparate*  
18 *impact or discriminatory patterns. In these cases, the requirement*  
19 *of subparagraph (C) shall not be considered satisfied without*  
20 *also complying with the requirements of subparagraphs (A), (B),*  
21 *and (D).*

22 (d) Each state agency, board, or commission required to  
23 comply with subdivision (c) shall comply as early as reasonably  
24 feasible when updating forms, software, hardware, or  
25 information collection procedures, and in no event later than  
26 January 1, 2014.